

REMARKS

This Reply is accompanied by a Request for Continued Examination. Applicants respectfully request a telephone interview with the Examiner prior to the issuance of a further Action on the merits in this application.

In view of the foregoing amendments and following remarks, reconsideration and allowance of this patent application is earnestly solicited. Claim 3-7 were previously withdrawn from consideration. Claims 1, 2 and 8-11 stand rejected. New independent claim 12 has been added. No new matter has been introduced.

In the Office Action, the Examiner rejected independent claim 1 and dependent claims 2 and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over Griffiths in view of Green. Applicants respectfully traverse the foregoing claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present patent application, Applicants' invention is directed to embodiments of a valve device for a vehicle air-suspension system. The valve device has a manually actuatable air-admission valve for admission of air to air-suspension bellows, a manually actuatable vent valve for venting the air-suspension bellows and a first electrically actuatable valve disposed in a common housing. A second electrically actuatable valve is also disposed in the housing.

The manually actuatable air-admission valve is ideally constructed and arranged to directly admit air into the air-suspension bellows, and the manually actuatable vent valve is ideally constructed and arranged to directly vent air from the air-suspension bellows. New independent claim 12 has been added to distinctly claim the foregoing. No new matter has been introduced.

Griffiths describes embodiments of an air suspension system having height control valves connected to air springs and pneumatically connected to a pressure air supply. The system

also includes a selector valve for manually overriding or bypassing the height control valves. The selector valve is connected via a second valve to the air springs. The second valve is also connected to the height control valves and has first and second operating conditions, whereby, under the first operating condition, the air springs are inflated/deflated via the height control valves, and, under the second operating condition, the air springs are inflated/deflated via the selector valve. The selector valve automatically reverts to normal condition so that the vehicle automatically returns to its normal ride height at the next service brake application.

Griffiths nowhere discloses, teaches or suggests the manually actuatable air-admission and vent valves and electrically actuatable valves that are housed in a common housing as affirmatively claimed in independent claim 1. Indeed, this was acknowledged by the Examiner.

Nor does Griffiths disclose, teach or suggest the manually actuatable air-admission valve for direct admission of air to air-suspension bellows of a vehicle air-suspension system and the manually actuatable vent valve for direct venting of air from the air-suspension bellows as affirmatively claimed in new independent claim 12. In contrast to the present claimed invention, after overriding the first and second electrically actuatable valves (height control valves 6, 7), the manually actuatable air-admission and vent valves (raise and lower valves 61, 62) disclosed in Griffiths require additional valves (65, 66) to admit or vent air from the air-suspension bellows.

Green, Cayzele and Rensel do not cure this severe deficiency of Griffiths.

The Examiner relies upon Green to allegedly cure the noted deficiencies of Griffiths, but, respectfully, such reliance is misplaced. Green describes embodiments of a control unit for an active vehicle roll control system. The Examiner cites to Green for its general disclosure of vehicle suspension system valves disposed within a housing (ECU housing 13) as well as the general use of electrically actuated valves (solenoid valves 70, 72, 76 and 78). Applicants respectfully submit that

one of ordinary skill in the art would not be inclined to substitute nor recognize the benefit of substituting the solenoid valves taught by Green into the system of Griffiths because the system of Griffiths relies solely on the use of pneumatic valves. As the Examiner noted, in order to control valves 70, 72, 76 and 78, the system of Green requires an electronic control unit (12), which is lacking in the system of Griffiths. Without an electronic control unit already in place in Griffiths, one of ordinary skill would not be inclined to substitute electrical valves into a system based primarily on pneumatic valves merely on the premise that electrical valves are generally known in the art.

By taking in hindsight knowledge of the claimed invention and attributing elements thereof to Griffiths and Green to fashion claim rejections under 35 U.S.C. §103(a) when the cited art does not contain or support that knowledge, it is respectfully submitted that the Examiner is impermissibly using the claimed invention as a blueprint for its own reconstruction. The striking similarity between the Examiner's explanations for combining Griffiths and Green on pages 3 and 4 of the present Office Action and the description of the advantageous improvements in Applicants' specification at paragraphs [0006] - [0014] of the present published application is telling. The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made. See e.g., *Interconnect Planning Corp. v. Feil*, 227 U.S.P.Q. 543, 547 (Fed. Cir. 1985), *W.L. Gore & Assoc. v. Garlock, Inc.*, 220 U.S.P.Q. 303, 312-13 (Fed. Cir. 1983).

For the foregoing reasons, it is respectfully submitted that one of ordinary skill in the art who reads and understands Griffiths and Green would not be inclined, let alone equipped, to arrive at the present invention as claimed in independent claim 1 or independent claim 12. Notice to the effect that claims 1 and 12 are patentable over the cited art is respectfully requested

It is further submitted that claims 2 and 9-11, which depend from independent claim 1, are allowable for the same reasons articulated above as well as for the additional features and structure recited therein. Notice to this effect is also respectfully requested.

Applicants specifically traverse the rejection of dependent claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Griffiths in view of Green, and further in view of Cayzeele and Rensel. In addition to its allowability by virtue of its dependency from independent claim 1, claim 8 is respectfully submitted as allowable because neither Cayzeele nor Rensel cure the deficiencies of Griffiths as discussed above. Cayzeele describes embodiments of a method and device for automatic ride height control for a vehicle that limits speed in order to reduce stress on activating members. The Examiner relies upon Cayzeele primarily for its disclosure of a displacement sensor (position sensors 9, 10) for sensing the distance from a suspension system to the road. Rensel describes embodiments of an air spring having a monitoring device for sensing the condition of the air spring and/or a tire. The Examiner relies upon Rensel primarily for its disclosure of a contactlessly operable sensing unit (height sensor 48).

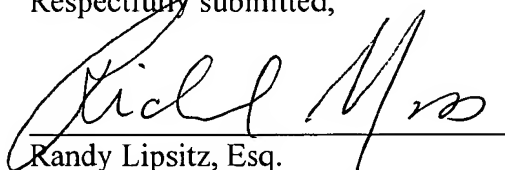
Furthermore, Cayzeele and Rensel do not disclose a valve device for a vehicle air suspension system that employs manually actuatable valves and electrically actuatable valves disposed in a common housing. Accordingly, claim 8 of the present application recites features and structures nowhere found in the Griffiths, Green, Cayzeele and Rensel references, and, thus, these references, alone or in combination, cannot yield, teach or suggest the claimed invention.

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for immediate allowance, and notice to this effect is respectfully requested. The Examiner is invited to contact Applicants' undersigned attorneys at the telephone number set forth below if it will advance the prosecution of this case.

The fee set forth in 37 CFR 1.17(a) for a two-month extension of time is \$490.

Authorization has been given to charge this fee to Deposit Account No. 50-0540. The fee set forth in 37 CFR 1.17(e) for a Request for Continued Examination is \$810. Authorization is hereby given to charge this fee to Deposit Account No. 50-0540. No additional fee is believed due with this Reply. However, if any deficiency or any additional fee is due, the Director is hereby authorized to charge such deficiency or additional fee to Deposit Account No. 50-0540.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Lipsitz", is written over a horizontal line.

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